

OCA 87-2029
13 May 1987

MEMORANDUM FOR: NIO/Narcotics

FROM:

[redacted]

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Legislation Division, Office of Congressional Affairs

SUBJECT:

Attorney General's Testimony on S. 789
Request for Comments

1. The Office of Management and Budget (OMB) has asked for the Agency's views on the attached testimony. It is the Attorney General's proposed testimony on national drug policy and S. 789, the "drug czar" bill. The testimony is to be given on May 14, 1987, at a joint hearing of the Senate Judiciary Committee (chaired by Senator Biden, sponsor of S. 789) and the House Select Committee on Narcotics.

2. Essentially, the testimony recounts the work to date of the newly-created National Drug Policy Board and opposes the legislation as unneeded.

3. The testimony does not appear objectionable to the Agency. We would, however, appreciate having your views. As OMB has asked for the Agency's comments by 1:00 p.m. today, we would appreciate your comments by NOON TODAY. Your cooperation is most appreciated.

[redacted]

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Attachment
as stated

STAT

Distribution:

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1 - [redacted] /OGC/Room 3S03 - [redacted]

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1 - OCA/Legislation Subject File: Narcotics

1 - [redacted] Signer

OCA/Leg/ [redacted] (13 May 1987)

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5/12/87 A.M.

DRAFT

TESTIMONY

OF

EDWIN MEESE III
ATTORNEY GENERAL

AND

CHAIRMAN
NATIONAL DRUG POLICY BOARD

BEFORE

U.S. SENATE
COMMITTEE ON THE JUDICIARY

U.S. HOUSE OF REPRESENTATIVES
SELECT COMMITTEE ON NARCOTICS

ON

MAY 14, 1987

REGARDING

COORDINATION OF NATIONAL DRUG POLICY AND STRATEGY

MR. CHAIRMEN, I AM PLEASED TO APPEAR BEFORE BOTH YOUR HOUSE AND SENATE COMMITTEES TODAY AS CHAIRMAN OF THE NATIONAL DRUG POLICY BOARD TO TESTIFY ON THE COORDINATION OF FEDERAL DRUG CONTROL EFFORTS, THE PERFORMANCE OF THE NATIONAL DRUG POLICY BOARD, AND OUR VIEWS ON YOUR SO CALLED "DRUG CLEAR" BILL, S. 789. WITH ME TODAY IS DR. IAN MACDONALD, WHO WILL SPEAK TO THE DRUG PREVENTION AND HEALTH ISSUES ON BEHALF OF MY CO-CHAIRMAN, SECRETARY OF HEALTH AND HUMAN SERVICES, DR. OTIS BOWEN, WHO COULD NOT BE HERE TODAY. FIRST, I WILL GIVE YOU A REPORT ON THE BACKGROUND OF THE NATIONAL DRUG POLICY BOARD AND RECENT BOARD CHANGES.

I. POLICY BOARD EXPANSION

THE NATIONAL DRUG POLICY BOARD WAS CREATED BY A PRESIDENTIAL EXECUTIVE ORDER ON MARCH 26, 1987. IT OVERSEES ALL FEDERAL DRUG CONTROL EFFORTS. THE POLICY BOARD EXPANDS AND SUBSUMES THE ACTIVITIES OF THE OLD NATIONAL DRUG ENFORCEMENT POLICY BOARD TO INCLUDE EFFORTS TO REDUCE THE DEMAND FOR DRUGS IN THE UNITED STATES AS WELL AS THOSE TO REDUCE THEIR SUPPLY. PRIOR TO MARCH 26, 1987, POLICY DEVELOPMENT AND COORDINATION ON THE DEMAND SIDE OF OUR ANTI-DRUG EFFORT WAS LODGED IN THE DOMESTIC POLICY COUNCIL, ALSO CHAIRED BY MYSELF AS ATTORNEY GENERAL AND ASSISTED BY THE WHITE HOUSE OFFICE OF DRUG ABUSE POLICY.

THE NEW BOARD SERVES AS THE CABINET-LEVEL FORUM FOR ALL SIGNIFICANT DRUG POLICY DECISIONS, INTERAGENCY COORDINATION AND INFORMATION EXCHANGE WITHIN THE DRUG LAW ENFORCEMENT AND DRUG PREVENTION AND HEALTH COMMUNITIES.

THE BOARD, WHICH MEETS MONTHLY IN THE WHITE HOUSE, IS CHAIRED BY MYSELF AND VICE-CHAIRED BY DR. OTIS BOWEN, SECRETARY OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES. OTHER MEMBERS OF THE NEW BOARD INCLUDE: THE SECRETARIES OF STATE, DEFENSE, TREASURY, TRANSPORTATION, EDUCATION, ENERGY, LABOR, HOUSING AND URBAN DEVELOPMENT, INTERIOR AND AGRICULTURE, THE DIRECTORS OF CENTRAL INTELLIGENCE AND THE OFFICE OF MANAGEMENT AND BUDGET, AND REPRESENTATIVES FROM BOTH THE PRESIDENT'S AND VICE PRESIDENT'S OFFICES.

WITHIN THE NEW POLICY BOARD STRUCTURE, THERE ARE TWO COORDINATING GROUPS, EACH COMPRISED OF DEPARTMENT ASSISTANT SECRETARIES, HEADS OF AGENCIES, AND OTHER SENIOR OFFICIALS FROM ORGANIZATIONS REPRESENTED ON THE BOARD. STEPHEN S. TROTT, ASSOCIATE ATTORNEY GENERAL CHAIRS THE DRUG ENFORCEMENT COORDINATING GROUP. IN ADDITION, A DRUG PREVENTION AND HEALTH COORDINATING GROUP HAS BEEN ESTABLISHED, CHAIRED BY DR. DONALD I. MACDONALD, DIRECTOR OF BOTH THE ALCOHOL, DRUG ABUSE AND MENTAL HEALTH ADMINISTRATION AND THE WHITE HOUSE DRUG ABUSE POLICY OFFICE, WHO IS WITH US HERE TODAY.

THE DRUG ENFORCEMENT COORDINATING GROUP MEETS MONTHLY AND AT PRESENT, THE FOLLOWING SUBCOMMITTEES ARE DEALING WITH CURRENT ENFORCEMENT ISSUES:

for SMC/JSW

- SUBCOMMITTEE ON INTELLIGENCE CHAIRED BY JACK LAWN, ADMINISTRATOR, DRUG ENFORCEMENT ADMINISTRATION.
- SUBCOMMITTEE ON C³I CENTERS (COMMAND, CONTROL, COMMUNICATION AND INTELLIGENCE) CHAIRED BY ASSISTANT COMMISSIONER ROSENBLATT, CUSTOMS.
- SUBCOMMITTEE ON LONG-RANGE SURVEILLANCE, CHAIRED BY ASSISTANT SECRETARY COX, DOD.
- SUBCOMMITTEE ON THE SOUTHWEST BORDER OR OPERATION ALLIANCE, CHAIRED BY TREASURY ASSISTANT SECRETARY FRANK REATING.
- SUBCOMMITTEE ON THE BAHAMAS, CHAIRED BY ASSISTANT SECRETARY OF STATE, ANN WROBLEWSKI.
- INTERAGENCY WORKING GROUP ON DRUG ENFORCEMENT COMMUNICATIONS, CHAIRED BY GENERAL OLMSTEAD OF THE DEPARTMENT OF DEFENSE.

RECENTLY, KEY ENFORCEMENT COORDINATING GROUP MEMBERS, BACKED UP BY THE POLICY BOARD STAFF AND KEY AGENCY STAFF, HAVE BEEN WORKING ON A PROJECT TO FORMALIZE LEAD AGENCY ROLES AND RESPONSIBILITIES WITHIN THE VARIOUS COMPONENTS OF OUR DRUG CONTROL STRATEGY. AN AGREEMENT WAS REACHED THIS WEEK ON PERHAPS THE MOST COMPLEX AND THORNIEST COMPONENT OF OUR ENFORCEMENT STRATEGY, INTERDICTION. COAST GUARD AND CUSTOMS HAVE AGREED ON AGENCY ROLES IN INTERDICTION. THE DETAILS ON HOW AGENCY ROLES HAVE BEEN DESIGNATED, WILL BE INCLUDED IN OUR COMPREHENSIVE INTERDICTION PLAN WHICH WE WILL SOON BE SUBMITTING TO BOTH THE HOUSE AND THE SENATE.

THE DRUG PREVENTION AND HEALTH COORDINATING GROUP, WAS RECENTLY FORMED BY THE MARCH 26, 1987 EXECUTIVE ORDER ESTABLISHING THE NDPB. THE INITIAL MEETING WAS HELD ON MARCH 27. THE MEMBERSHIP IS COMPOSED OF REPRESENTATIVES FROM THE DEPARTMENTS OF HEALTH AND HUMAN SERVICES, EDUCATION, HOUSING AND URBAN DEVELOPMENT, LABOR, INTERIOR, DEFENSE, JUSTICE, TRANSPORTATION, AND TREASURY, ACTION, OPM AND OMB.

THE FOCUS OF THE COORDINATING GROUP IS ON THE PRIMARY AREAS OF PREVENTION, EDUCATION, REHABILITATION, TREATMENT AND RESEARCH. SPECIFIC ISSUES ARE DISCUSSED IN THE SUBCOMMITTEES:

- o SUBCOMMITTEE ON TREATMENT, CHAIRED BY CHARLES SCHUSTER, DIRECTOR, NATIONAL INSTITUTE ON DRUG ABUSE.

- SUBCOMMITTEE ON HIGH RISK YOUTH, CHAIRED BY VERNE SPIERS, ACTING ADMINISTRATOR, OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION, DOJ.
- SUBCOMMITTEE ON WORKPLACE ISSUES, CHAIRED BY JAMES COLVARD, DEPUTY DIRECTOR, OPM.
- SUBCOMMITTEE ON EDUCATIONAL APPROACHES, CHAIRED BY JOHN WALTERS, SPECIAL ASSISTANT TO THE SECRETARY, DEPARTMENT OF EDUCATION.

IN SUPPORT OF THE POLICY BOARD AND THE COORDINATING GROUPS IS A POLICY BOARD STAFF, CURRENTLY CONSISTING OF AN ACTING STAFF DIRECTOR, SENIOR PEOPLE DETAILED FULL TIME FROM THE DOD, COAST GUARD, DEA, DOJ, FBI, STATE, DHHS, AND TREASURY AS WELL AS SEVERAL FULL TIME SUPPORT PERSONNEL. I ALSO HAVE A FULL TIME SPECIAL ASSISTANT DEVOTED SOLELY TO POLICY BOARD MATTERS.

AS A RESULT OF THE EXECUTIVE ORDER SIGNED MARCH 26, THE CURRENT FULL TIME COMPLEMENT OF 12 PERSONNEL WILL BE AUGMENTED BY ADDITIONAL APPOINTMENTS FROM THE DEMAND SIDE. THE STAFF AND ADDITIONAL LIAISON REPRESENTATIVES FROM OTHER PARTICIPATING AGENCIES MEET ON A WEEKLY BASIS.

THE STAFF SERVES AS A CLEARING HOUSE AND CENTRAL REPOSITORY FOR INFORMATION. THEY ENSURE THAT THE POLICY BOARD HAS THE INFORMATION IT NEEDS TO MAKE ITS DECISIONS, PERFORM ANY ANALYSIS

THAT THE COORDINATING GROUP NEEDS TO MAKE RECOMMENDATIONS TO THE POLICY BOARD; AND FACILITATE COORDINATION BY MAINTAINING EFFECTIVE COMMUNICATION AMONG AGENCY REPRESENTATIVES.

II. RECENT DRUG POLICY ACHIEVEMENTS

MUCH OF THE BOARD'S WORK, AS WELL AS THAT OF ITS COORDINATING GROUPS AND STAFF, OCCURS "BEHIND THE SCENES" BY FACILITATING, ENCOURAGING, AND PROVIDING ADVICE IN SUPPORT OF INDIVIDUAL AGENCY AND INTERAGENCY OPERATIONS. HOWEVER, THE BOARD HAS ALSO BEEN INTIMATELY INVOLVED IN SIGNIFICANT POLICY DECISIONS. IN THE PAST YEAR, THE BOARD OVERSAW A NUMBER OF SIGNIFICANT DRUG LAW ENFORCEMENT ACTIVITIES SOME OF WHICH I WOULD LIKE TO HIGHLIGHT FOR YOU:

- o NATIONAL AND INTERNATIONAL DRUG LAW ENFORCEMENT STRATEGY: THE POLICY BOARD DEVELOPED A NATIONAL AND INTERNATIONAL DRUG LAW ENFORCEMENT STRATEGY THAT BUILDS UPON THE DRUG ENFORCEMENT ACCOMPLISHMENTS OF RECENT YEARS. THE 200 PAGE STRATEGY DETAILS NATIONAL DRUG ENFORCEMENT PLANS, PROGRAMS, AND OBJECTIVES FOR THE NEXT TWO YEARS. A COMPREHENSIVE INTERAGENCY IMPLEMENTATION PROCESS HAS BEEN DEVELOPED BY THE POLICY BOARD STAFF TO ASSURE THAT THE OBJECTIVES AND PLANS ANNOUNCED IN THE STRATEGY TAKE CONCRETE, MEASURABLE FORM. THIS DETAILED IMPLEMENTATION PLAN SHOULD BE COMPLETED FOR THE ENTIRE STRATEGY BY THE END OF THIS SUMMER, AND WILL AID THE BOARD BY PROVIDING SOME MEASURES OF EFFECTIVENESS AND IN PROVIDING REPORTS TO THE CONGRESS.

o INTERNATIONAL PROGRAMS - OPERATION BLAST FURNACE: THE POLICY BOARD ESTABLISHED THE POLICY GROUNDWORK FOR, WAS BRIEFED ON, AND APPROVED OF OUR INVOLVEMENT IN THE BOLIVIAN OPERATION BLAST FURNACE PRIOR TO ITS COMMENCEMENT. THIS OPERATION VIRTUALLY STOPPED THE TRAFFICKING IN COCA LEAVES IN BOLIVIA DURING THE SUMMER AND FALL OF 1986. THE DESTRUCTION OF OVER 20 COCAINE LABORATORIES ACHIEVED A DRAMATIC DECREASE IN THE PRODUCTION OF AND PRICE FOR COCA LEAVES, AND REDUCED CIVIL AIR TRAFFIC IN BOLIVIA BY 90 PERCENT. BUT MOST IMPORTANTLY, IT SET A PRECEDENT WHEREBY U.S. CIVILIAN LAW ENFORCEMENT AUTHORITIES SUPPORTED BY MILITARY ASSETS WERE INVITED BY A FOREIGN GOVERNMENT TO ASSIST THEIR DRUG ENFORCEMENT EFFORTS.

o INTERNATIONAL PROGRAMS - ERADICATION: IN OUR CONTINUING EMPHASIS IN TRYING TO STOP DRUGS AT THEIR SOURCE, WE HAVE EXPANDED OUR ENCOURAGEMENT AND SUPPORT OF SOURCE COUNTRY ERADICATION. IN 1981, 2 FOREIGN COUNTRIES WERE ERADICATING DRUG CROPS WITH OUR ENCOURAGEMENT. IN 1986, THE NUMBER JUMPED TO 20. COLOMBIA HAS MADE REMARKABLE PROGRESS IN DRUG ERADICATION. DEA REPORTS THAT COLOMBIA HAS ERADICATED ALMOST ALL OF ITS DOMESTIC MARIJUANA CROP THUS FAR IN 1987.

o INTERNATIONAL PROGRAMS - ENFORCEMENT: WHILE THE EXTRADITION OF CARLOS LEHDER FROM COLOMBIA TO STAND TRIAL IN THE UNITED STATES WAS A COURAGEOUS ACT BY THE BELEAGUERED COLOMBIAN AUTHORITIES, IT ALSO DEMONSTRATES THE WISDOM OF OUR EFFORTS TO SECURE IMPROVED EXTRADITION TREATIES. PROMPTING EXTRADITION OF DRUG

TRAFFICKERS IS A HIGH PRIORITY OF OUR INTERNATIONAL DRUG LAW ENFORCEMENT DIPLOMATIC EFFORTS. MR. LENDER'S EXTRADITION AND THE EXTRADITION OF MANY OTHERS TO STAND TRIAL FOR DRUG TRAFFICKERS OFFENSES SHOWS THAT NATIONS CAN EFFECTIVELY COOPERATE WITHIN ESTABLISHED LEGAL SYSTEMS AGAINST DRUG TRAFFICKING.

○ SOUTHEAST BORDER AIR INTERDICTION: A COMPREHENSIVE POLICY BOARD STAFF STUDY EXAMINED AIR AND RELATED MARINE INTERDICTION CAPABILITIES ALONG THE SOUTHEAST BORDER, AND PRESENTED A VARIETY OF OPTIONS AND RECOMMENDATIONS FOR GREATLY ENHANCING THE EFFECTIVENESS OF THOSE CAPABILITIES. E-2C AIRCRAFT, AEROSTAT RADAR, COMMUNICATIONS AND INTELLIGENCE FACILITIES, AND OTHER ADDITIONAL RESOURCES ARE BEING DEPLOYED TO ENHANCE OUR AIR INTERDICTION SYSTEM. THE DEPARTMENT OF DEFENSE AND THE FAA ARE PRESENTLY STUDYING RADAR AND OTHER HARDWARE NEEDS IN THE INTERDICTION AREA.

○ FEDERAL PRISON SITUATION: THE POLICY BOARD IS REVIEWING THE FEDERAL PRISONER AND IMMIGRATION SITUATION AND IS EXAMINING OPTIONS FOR PRE-TRIAL DETENTION SPACE, PRISON AND IMMIGRATION SPACE OVER THE NEXT 5 YEARS. OVER ONE-THIRD OF ALL CURRENT FEDERAL PRISONERS WERE CONVICTED OF DRUG OFFENSES. ENHANCED PENALTIES MANDATED BY THE ANTI-DRUG ABUSE ACT OF 1986 AND THE SENTENCING COMMISSION GUIDELINES WILL LIKELY INCREASE THAT NUMBER, FURTHER STRAINING PRISON CAPACITY. TO ALLEVIATE THIS PROBLEM, THE PRESIDENT HAS PROPOSED SIGNIFICANT NEW FUNDING IN HIS 1988 BUDGET. IN ADDITION, THE POLICY BOARD'S PRISON SPACE

SUBCOMMITTEE HAS BEEN STUDYING PROJECTED PRISON AND JAIL SHORTFALLS FOR THE NEXT FIVE YEARS AND WILL DEVELOP A MIX OF SOLUTIONS FOR IMPLEMENTATION IN THE SHORT-TERM.

o FEDERAL DRUG RESOURCE ALLOCATION: ADDRESSING ITS BUDGET RESPONSIBILITIES, THE POLICY BOARD MOUNTED AN IMPORTANT EFFORT TO BRING GREATER CONSISTENCY TO REPORTING OF DRUG LAW ENFORCEMENT SPENDING. THE BOARD REQUESTED OMB TO DEVISE A STANDARD METHODOLOGY FOR DETERMINING WHAT PORTION OF AN AGENCY'S SPENDING HAS BEEN ALLOCATED FOR DRUG CONTROL PURPOSES, AND FURTHER, TO WHICH STRATEGY COMPONENT THIS SPENDING MAY BE ATTRIBUTED. THIS ACTIVITY WILL IMPROVE THE UNDERSTANDING OF HOW FEDERAL DOLLARS ARE SPENT AND HELP THE BOARD DETERMINE THE MOST EFFECTIVE AND EFFICIENT USE OF FEDERAL RESOURCES.

o OPERATION ALLIANCE: THE POLICY BOARD ANALYZED THE SEVERE AND GROWING DRUG PROBLEMS ALONG THE SOUTHWEST BORDER AND ESTABLISHED A SUBCOMMITTEE OF THE BOARD'S COORDINATING GROUP TO OVERSEE PLANS FOR A CAREFUL RESPONSE. IN TURN, UNDER THE AUSPICES OF THE POLICY BOARD, OPERATION ALLIANCE WAS ESTABLISHED. BEGUN IN 1986 AND COORDINATED WITH NNBIS, OPERATION ALLIANCE IS DESIGNED TO CHOKE OFF THE RAPIDLY INCREASING FLOW OF DRUGS ACROSS THE U.S.-MEXICAN BORDER. THIS UNPRECEDENTED INTERAGENCY EFFORT ALONG THE SOUTHWEST BORDER INVOLVES THOUSANDS OF FEDERAL, STATE AND LOCAL LAW ENFORCEMENT OFFICIALS AND SOPHISTICATED NEW EQUIPMENT TO FIGHT DRUG TRAFFICKING ALONG THE ENTIRE 2,000 MILE BORDER AND ADJACENT WATER.

o IMPLEMENTATION OF THE ANTI-DRUG ABUSE ACT: EFFECTIVE IMPLEMENTATION OF THE ANTI-DRUG ABUSE ACT IS A MAJOR OBJECTIVE OF THE POLICY BOARD AS OUTLINED IN THE NATIONAL AND INTERNATIONAL DRUG LAW ENFORCEMENT STRATEGY WHICH THE POLICY BOARD RELEASED IN FEBRUARY OF THIS YEAR. THESE NEW LAWS SHOULD IMPROVE DRUG LAW ENFORCEMENT EFFICIENCY IN THE AREAS OF INTELLIGENCE, INTERNAL DRUG CONTROL, INTERDICTION, INVESTIGATION AND PROSECUTION, AND DIVERSION CONTROL. THE BOTTOM LINE IS THAT WE ARE NOW INTERDICTING MORE DRUGS, SEIZING MORE DRUGS, FORFEITING MORE ASSETS, ARRESTING, PROSECUTING AND CONVICTING MORE DRUG TRAFFICKERS, AND MORE ACTIVELY DISCOURAGING DRUG USE THAN EVER BEFORE.

I STAND READY TO GIVE YOU A MORE DETAILED STATUS REPORT ON WHERE WE STAND IN IMPLEMENTING THE KEY PROVISIONS OF THIS BILL.

III. COMMENTS ON S. 789, THE DRUG CEAR BILL

WE CAN UNDERSTAND AND SYMPATHIZE WITH SOME OF THE FRUSTRATION AND IMPATIENCE EXPRESSED BY MEMBERS OF CONGRESS, TOWARD THE NATIONAL DRUG POLICY BOARD FOR NOT MAKING MORE PROGRESS IN OUR WAR ON DRUGS. BUT I MUST CAUTION YOU TO AVOID SUCH DRASTIC PROPOSALS AS THAT CONTAINED IN S. 789, THE DRUG CEAR BILL.

WE MUST NOT LOSE SIGHT OF THE BOTTOM LINE THAT WE ARE NOW INTERDICTING MORE DRUGS, SEIZING MORE DRUGS, FORFEITING MORE ASSETS, ARRESTING, PROSECUTING, AND CONVICTING MORE DRUG TRAFFICKERS, AND MORE-ACTIVELY DISCOURAGING THE USE OF ILLEGAL DRUGS THAN EVER BEFORE.

IF YOU THINK THIS ADMINISTRATION HAS BEEN CUTTING BACK ON ITS WAR ON DRUGS, OR DEMONSTRATING INEFFECTIVENESS THEN YOU HAVEN'T BEEN LISTENING TO THE DRUG CULTURE SPOKESMEN OR THEIR SYMPATHIZERS, OR TO THE DRUG TRAFFICKERS AND THEIR DEFENSE ATTORNEYS. ASK THEM TO TELL YOU HONESTLY WHETHER THIS ADMINISTRATION HAS MADE DRUG TRAFFICKING AND DRUG USE MORE DIFFICULT.

WE HAVE HEARD MUCH RECENTLY OF THE OLD CHARGE OF LACK OF COORDINATION IN OUR ANTI-DRUG EFFORTS, AND RESULTING TURF WARS BETWEEN THE AGENCIES. I THINK A WORD OF CAUTION TO YOU ON THAT SCORE IS IN ORDER.

DISAGREEMENTS AND JEALOUSIES AMONG LAW ENFORCEMENT AGENCIES WORKING IN THE SAME AREA IS A COMMON PHENOMENON AND SHOULD NOT BE EQUATED WITH A BREAKDOWN IN COORDINATION AGRIEVED AGENCIES THEMSELVES, OR THEIR SYMPATHIZERS, FREQUENTLY CRY "NO COORDINATION" WHEN WHAT THEY MEAN IS "WE ARE THE ONLY ONES WHO SHOULD BE DOING THAT." WE MUST NOT OVERREACT TO THESE CHARGES, BUT INSTEAD LOOK BEHIND THEM TO SEE IF THEY HAVE ANY REAL SUBSTANCE. THE FACT OF THE MATTER IS THAT WE HAVE DECIDED NOT TO

USE THE SINGLE AGENCY APPROACH TO THIS COMPLEX PROBLEM WHICH NATURALLY CUTS ACROSS SO MANY DIFFERENT JURISDICTIONS, AND AS WE ATTEMPT TO UTILIZE THE MANY AGENCIES WITH ALREADY EXISTING RESOURCES IN PLACE, YOU CAN BE SURE THAT THE COORDINATION JOB WILL NOT BE AN EASY ONE, BUT IT CAN BE DONE, AND IS BEING IMPROVED STEADILY.

IT IS A COMMON MISTAKE TO SEE ANY DISAGREEMENT AMONG LAW ENFORCEMENT OFFICERS AS A BREAKDOWN IN COORDINATION. THE SIMPLE FACT IS THAT LAW ENFORCEMENT AGENCIES ARE NOT SUBURBAN GARDEN CLUBS. RATHER, THEY ARE MADE UP OF ACTIVE AND AGGRESSIVE PEOPLE. NO LARGE LAW ENFORCEMENT AGENCY EXISTS THAT HAS NOT EXPERIENCED DISAGREEMENTS AND JURISDICTIONAL DISPUTES WITHIN ITS OWN RANKS: THE HOMICIDE SQUAD OFTEN LOCKS HORNS WITH THE ROBBERY SQUAD AND SO ON. AND OBVIOUSLY, DISPUTES AMONG DIFFERENT LAW ENFORCEMENT AGENCIES ARE EVEN MORE COMMON. OFTEN THIS REFLECTS A HEALTHY ESPIRIT DE CORPS, A SENSE OF COMPETITION AND SOME CHECKS AND BALANCES THAT STRENGTHEN LAW ENFORCEMENT. IN EVALUATING LAW ENFORCEMENT, THEREFORE, ONE MUST BE CAREFUL TO DISTINGUISH BETWEEN SPIRITED COMPETITION ON THE ONE HAND, AND LACK OF COORDINATION ON THE OTHER. WE HAVE MADE GREAT STRIDES IN COORDINATING FEDERAL DRUG ENFORCEMENT EFFORTS IN THE PAST SIX YEARS. TO CAST ALL OF THAT WORK ASIDE IN FAVOR OF A NEW APPROACH AT THIS LATE DATE WOULD BE THE HEIGHT OF FOLLY.

AS
SO YOU CONSIDER THIS "DRUG CZAR" BILL, I URGE YOU TO
REMEMBER THE FOLLOWING REASONS:

- o WE ALREADY HAVE EFFECTIVE, INFORMED LEADERSHIP OF FEDERAL DRUG CONTROL EFFORTS. THE MEASURE WE SHOULD USE IS NOT A "WISH LIST" OF IDEAL POLICY BOARD ACCOMPLISHMENTS, BUT THE STATE OF DRUG POLICY COORDINATION THAT EXISTED IN 1980 WHEN WE CAME INTO OFFICE. THE NATIONAL DRUG ENFORCEMENT POLICY BOARD, CREATED BY THE COMPREHENSIVE CRIME CONTROL ACT OF 1984, HAS BEEN REASONABLY SUCCESSFUL IN COORDINATING THE REVIEW, EVALUATION, AND DEVELOPMENT OF UNITED STATES DRUG LAW ENFORCEMENT POLICY, STRATEGY, AND RESOURCES. THE POLICY BOARD HAS ENHANCED COOPERATION AND COMMUNICATION BETWEEN DRUG ENFORCEMENT AGENCIES, A KEY INGREDIENT IN DRUG ENFORCEMENT SUCCESS.
- o THE PRESIDENT HAS ALREADY CONSOLIDATED BOTH DRUG DEMAND AND SUPPLY REDUCTION OVERSIGHT INTO ONE CABINET-LEVEL BODY. IN SHORT, THE NEW POLICY BOARD WILL ENHANCE GOVERNMENT EFFORTS TO CUT THE DEMAND FOR DRUGS WHILE MAINTAINING AND STRENGTHENING OUR LONG-RANGE DRIVE TO REDUCE THE SUPPLY OF DRUGS WITHOUT CREATING ADDITIONAL BUREAUCRACY.
- o OUR CABINET STRUCTURE OF GOVERNMENT HAS SERVED THIS NATION WELL THROUGHOUT ITS HISTORY. THE DRUG CZAR WOULD UNDERMINE THIS SUCCESSFUL SYSTEM OF GOVERNMENT BY CREATING

A "SUPER CABINET OFFICER" EMPOWERED TO DIRECT AFFAIRS OF THE EXECUTIVE BRANCH DEPARTMENTS AND AGENCIES. AS STATED BY THE PRESIDENT'S COMMISSION ON ORGANIZED CRIME IN ITS FINAL REPORT:

IT IS NEITHER POSSIBLE NOR DESIRABLE UNDER OUR SYSTEM OF LAW TO INVEST A BOARD CHAIRMAN OR ANY OTHER "CZAR" WITH DICTATORIAL POWER TO COMMAND OTHER CABINET MEMBERS TO CONDUCT THE AFFAIRS OF THEIR RESPECTIVE DEPARTMENTS IN A PARTICULAR FASHION.

- THE INTENSITY OF CURRENT CABINET-LEVEL ATTENTION DEMONSTRATES THE COMMITMENT TO SHARING RESPONSIBILITY FOR SOLVING THIS COMPLEX PROBLEM. THE PRESIDENT'S COMMISSION CLEARLY ENDORSED THE CONCEPT OF INDEPENDENT CABINET-LEVEL AGENCIES WITH SHARED RESPONSIBILITY FOR DRUG LAW ENFORCEMENT SUCCESS. APPOINTING A DRUG CZAR COULD DIMINISH THIS COMMON INTEREST AND CONCERN.
- WE DO NOT NEED THE ADDITIONAL LAYER OF BUREAUCRACY WITHIN THE EXECUTIVE BRANCH THAT THE BILL PROPOSES. THE PROPOSED BILL CALLS FOR THE CREATION OF A NEW SUPER-CABINET LEVEL OFFICE. SUCH AN OFFICE WOULD BE EXPENSIVE TO MAINTAIN, AND WOULD REQUIRE SIGNIFICANT STAFF AND OTHER RESOURCES THAT WOULD INEVITABLY BE DRAWN FROM CURRENT DRUG CONTROL AND OTHER SOCIAL PROGRAMS. IN CONTRAST, CURRENT DRUG

CONTROL EFFORTS HAVE BEEN, AND CONTINUE TO BE, ENHANCED THROUGH EXISTING ADMINISTRATIVE STRUCTURES.

- THE DRUG CZAR CONCEPT WOULD HAMPER EXISTING DRUG CONTROL ACTIVITIES. THE BURDENSOME LAYER OF NEW BUREAUCRACY IT CREATES WOULD DETRACT FROM DRUG CONTROL PROGRAMS AND OPERATIONS, RESTRICTING THE DECISION-MAKING AUTHORITY OF CABINET OFFICIALS, AND REDUCING INTER-DEPARTMENTAL AND INTERAGENCY POLICY DEVELOPMENT AND DISCUSSION. THE DRUG CZAR WOULD FURTHER CARVE UP THE CRIMINAL JUSTICE SYSTEM AND WOULD THREATEN THE AUTONOMY OF TREASURY, JUSTICE, TRANSPORTATION, AND STATE, AS WELL AS HHS AND THE DEMAND SIDE AGENCIES. THE SERIOUSNESS OF THIS THREAT IS underscored BY THE OVERWHELMING OPPOSITION TO THIS PROPOSAL BY THE FEDERAL LAW ENFORCEMENT COMMUNITY AS WELL AS BY SUCH GROUPS AS THE INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE AND THE NATIONAL ASSOCIATION OF ATTORNEY'S GENERAL.
- THE DRUG CZAR WOULD BE BAD PRECEDENT. THE CREATION OF A DRUG CZAR WOULD SERVE AS PRECEDENT FOR CREATION OF A "TERRORISM CZAR" AND OTHER "CZARS" TO DEAL WITH ANY ISSUE THAT CUTS ACROSS DEPARTMENTAL LINES. THIS IS CLEARLY THE MOST CUMBERSOME WAY OF DEALING WITH PROBLEMS HAVING INTER-DEPARTMENTAL JURISDICTION.

IN CONCLUSION LET ME STRESS THAT THE POLICY BOARD DOES NOT HAVE DAY-TO-DAY OPERATIONAL RESPONSIBILITY FOR DRUG LAW ENFORCEMENT AND DEMAND REDUCTION ACTIVITIES. WE DO HAVE POLICY RESPONSIBILITY TO FACILITATE THE COORDINATION OF OPERATIONS AND POLICY UNDER THE TERMS OF THE NATIONAL NARCOTICS ACT OF 1984. WE DO NOT MICRO-MANAGE THE OPERATIONS OF ENFORCEMENT AGENCIES. THOSE DOING THE JOB IN THE FIELD ARE NORMALLY GIVEN THE FLEXIBILITY, WITHIN LEGAL CONSTRAINTS, TO GET THE JOB DONE IN CONCERT WITH OUR OVERALL NATIONAL STRATEGY. WHEN AN INTERAGENCY COORDINATION OR COOPERATION PROBLEM SURFACES, WE DEAL WITH IT AT THE POLICY BOARD. WE WELCOME YOUR CONCERN AND INTEREST IN THIS PROCESS.

THIS CONCLUDES MY PREPARED STATEMENT. I WOULD BE HAPPY TO RESPOND TO ANY SPECIFIC QUESTIONS YOU MAY HAVE REGARDING THE DRUG ENFORCEMENT COORDINATING GROUP. DR. MACDONALD IS HERE AND HAS A STATEMENT CONCERNING DRUG PREVENTION AND HEALTH ISSUES. IN ADDITION, WE HAVE SEVERAL SUPPLY AND DEMAND SIDE WITNESSES HERE TO RESPOND TO YOUR SPECIFIC QUESTIONS.